

## **ASSISTANT CITY ATTORNEY I**

**General Statement of Duties:** Under the general direction of the City Attorney, performs professional and administrative legal work for the City; and functions as a legal advisor to the City Council, Mayor, and department heads with regard to legal authority of the City. Work is performed in accordance with general policies of the City Attorney and the accepted standards and practices of the legal profession.

**Distinguishing Features of the Class:** An employee in this class may be assigned to work independently on all but the most complex cases and legal work in the department. Such employee routinely represents the City in litigation, criminal and civil, particularly in the enforcement of City ordinances. Litigation work typically involves hearing before various agencies and trials to the court, and an occasional jury trial or appeal to a higher court. Such employee works under the direction and supervision of the City Attorney, and evaluation of work performance is done both on the basis of periodic review of procedures and work product, and on the basis of review of completed assignments and results achieved.

### **Areas of Accountability:**

1. Provides advice and recommendations and renders oral and written opinions to the Mayor, City Council, and department heads.
  - Attends Council meetings and staff meetings for the purpose of learning policies underlying official action and gives advice on legal implications involved, including advice as to alternative legal and administrative approaches to the solution of major City problems;
  - Keeps informed of proposed State and Federal legislation affecting the City government;
  - Keeps the City Attorney and appropriate management staff members informed on important legal developments which may affect the administration of City government;
  - Maintains current knowledge of innovative ideas and development and recommends changes in current operations and practices where applicable;
  - Attends meetings of boards and commissions and acts as staff liaison;
  - Prepares factual, clear, concise written reports with specific recommendations;
  - Serves as an active member of management staff teams created to deal with specific problems and issues when a legal perspective is deemed desirable.
2. Performs document-drafting work for the City Council and administration.
  - Draws legal documents, including contracts, leases, deeds, easements, resolutions, and ordinances;
  - Assists in the drafting and review of proposals and legal documents developed and submitted by administrative staff members;

- Determines the legality of documents affecting or involving the City and advises the City Council and/or City staff concerning same.
3. Represents the City in all phases of civil litigation involving the City.
- Prepares pleading and conducts and responds to discovery;
  - Interviews City staff members whose actions are involved or whose knowledge is relevant;
  - Researches City's legal position;
  - Advises City staff and City Council on appropriate legal strategies;
  - Negotiates favorable settlements with opposing parties and their counsel;
  - Advises City staff and City Council of financial and policy consequences of settlement or adverse judgement, and the likelihood thereof;
  - Secures testimony of witnesses and experts, and tries case to court or to jury;
  - Informs City staff and City Council of the outcome of all trials, including recommendations for appeal or for settlement where appropriate;
  - Takes action to enforce judgements favorable to City;
  - Maintains adequate and orderly files on all matters under litigation;
  - Corresponds with and keeps City's insurer informed of matters under litigation where appropriate.
4. Communicates with the public in responding to inquiries.
- Provides information to the public with regard to City ordinances and the laws of Iowa relating to cities;
  - Informs public with regard to the City's policy or position with regard to such ordinances or such laws;
  - Gives advice to public where appropriate and if not contrary to City's interests;
  - Refers public to appropriate City departments or staff for further explanation of City policies or procedures;
  - Advises appropriate City administrative staff of complaints by the public concerning City operations, policies, or personnel.
5. Miscellaneous.
- Maintains adequate and orderly files on all matters before such boards, commissions or agencies;
  - Assists in the supervision of non-professional staff of the legal department;
  - Acts as City Attorney in the absence of the City Attorney, if so designated;
  - Courteously communicates with the public and functions in a public relations capacity on the City's behalf;
  - Pursues continuing professional legal education in appropriate fields.

**Required Knowledge, Skills and Abilities:** Good knowledge of judicial procedures and rules of evidence; good knowledge of City ordinances, State, Federal, and general municipal laws including accepted legal or court interpretations; good knowledge of the

organization, functions, and legal limitations on the authority of the various City departments; good knowledge of the principles of civil law, particularly as they relate to the ownership, acquisition, and conveyance of real property, the conduct of elections and the regulation of public utilities; good knowledge of the principles of criminal law and of the problems of criminal enforcement, procedure and evidence; good knowledge of what can be accomplished by legal approaches, what must be done by administrative approach and how the two must be balanced to achieve the intent of City departments and to protect the public interest; ability to analyze, appraise, and organize facts, evidence and precedents and to present such material effectively, orally and in writing; ability to determine the limits of action available to opponents and probable courses of action of opponents in court cases; ability to present and argue cases in court, dealing smoothly with unanticipated situations when these arise; ability to establish and maintain effective relations with court officials, City officials and the general public; ability to negotiate settlements; ability to observe and train new attorneys in the research and preparation of municipal work and in trial work; good judgement; good physical condition

**Acceptable Experience and Training:** Some experience as an attorney, and graduation from a recognized school of law, preferably with specialization or emphasis on municipal law; or any equivalent combination of experience and training which provides the required knowledge, skills and abilities.